

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff(s),)
)
vs.) Case No. 4:07CR511 JCH (TCM)
)
DENISE HARDY, DPM, et. al.,)
)
Defendant(s).)

ORDER

This matter is before the Court upon the Report and Recommendation of United States Magistrate Judge. (Doc. No. 59). Defendants filed a Motion to Dismiss the Indictment (Doc. Nos. 51, 53). Magistrate Judge Thomas C. Mummert, III has recommended denial of the Motion to Dismiss. (Doc. No. 59).

Upon careful consideration of the Report and Recommendation and the record in this case,

IT IS HEREBY ORDERED that the Report and Recommendation of the United States Magistrate Judge (Doc. No. 59) is **SUSTAINED, ADOPTED, AND INCORPORATED** herein.

IT IS HEREBY FURTHER ORDERED that Defendants' Motion to dismiss is **DENIED, WITHOUT PREJUDICE.**

Dated this 22nd day of October, 2008.

/s/ Jean C. Hamilton

UNITED STATES DISTRICT JUDGE